

Message Text

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ACTION DLOS-09

INFO OCT-01 ARA-14 EUR-12 IO-14 ISO-00 FEA-01 ACDA-10
AGRE-00 AID-05 CEA-01 CEQ-01 CG-00 CIAE-00
COME-00 DODE-00 DOTE-00 EB-08 EPA-04 ERDA-07
FMC-02 TRSE-00 H-02 INR-07 INT-05 JUSE-00 L-03
NSAE-00 NSC-05 NSF-02 OES-07 OMB-01 PA-02 PM-05
PRS-01 SP-02 SS-15 USIA-15 /161 W
-----079702 140216Z /15

R 131818Z SEP 77
FM AMEMBASSY PARAMARIBO
TO SECSTATE WASHDC 3668
INFO AMEMBASSY BRASILIA
AMEMBASSY BRUSSELS
AMEMBASSY GEORGETOWN
AMCONSUL MARTINIQUE
AMEMBASSY MEXICO
AMEMBASSY PARIS
AMEMBASSY PORT OF SPAIN
USMISSION USUN NEW YORK

UNCLAS PARAMARIBO 936

BRUSSELS FOR USEEC; MEXICO FOR RFA

E.O. 11652: N/A
TAGS: EFIS, NS
SUBJ: DRAFT LAW ON EXTENDED TERRITORIAL SEA AND
ECONOMIC ZONE

1. TEXT OF DRAFT LAW EXTENDING SURINAM'S TERRITORIAL SEA
TO TWELVE NAUTICAL MILES AND ESTABLISHING A 200-MILE ECONOMIC
ZONE WAS PUBLISHED IN LOCAL NEWSPAPER SEPTEMBER 12. PROPOSED
BILL, WHICH WAS APPROVED BY COUNCIL OF MINISTERS (CABINET)
IN JULY HAS BEEN SUBMITTED TO PARLIAMENT FOR APPROVAL, BUT
UNCERTAINTY OF GOVERNMENT'S POSITION THERE MAKES IT UNLIKELY
THAT ACTION WILL BE TAKEN UNTIL AFTER A NEW GOVERNMENT IS
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FORMED FOLLOWING ELECTIONS ON OCTOBER 31. THERE IS LITTLE
DOUBT THAT BILL WILL BE PASSED THEREAFTER, HOWEVER,
INASMUCH AS THERE IS GENERAL AGREEMENT ON THE NECESSITY
FOR SUCH A MEASURE, PARTICULARLY IN LIGHT OF FRENCH
GUIANA'S ALREADY ENACTED 200-MILE FISHERY ZONE AND GUYANA'S
PENDING ACTION TO IMPLEMENT A SIMILAR ZONE.

2. BILL DEFINES SURINAM SOVEREIGNTY AS EXTENDING TO TERRITORIAL SEA (MARKED BY A LINE, EACH POINT OF WHICH IS AT A DISTANCE OF TWELVE NAUTICAL MILES FROM THE CLOSEST SITUATED POINT OF THE ZERO METER DEPTH LINE, THE SO-CALLED BASE LINE ALONG THE COAST), THE AIR ABOVE IT, AND THE SEABED AND SUBSOIL BENEATH IT. SURINAM ALSO ASSERTS SOVEREIGN RIGHTS WITH REGARD TO EXPLORATION, EXPLOITATION, PRESERVATION AND MANAGEMENT OF THE NATURAL RESOURCES, LIVING AS WELL AS NON-LIVING ON THE SEABED AND IN THE SUBSOIL AND THE WATERS LOCATED ABOVE THEM IN AN ECONOMIC ZONE BORDERING ON AND EXTENDING FROM THE OUTER LIMIT OF THE TERRITIRIAL SEA TO A DISTANCE OF 200 NAUTICAL MILES, MEASURED FROM THE ZERO METER DEPTH LINE. GOS IS ALSO GIVEN THE POWER TO APPLY LAW TO (A) ESTABLISHMENT AND USE OF ARTIFICIAL ISLANDS, INSTALLATIONS AND SIMILAR STRUCTURES; (B) PROTECTION OF THE SEA ENVIRONMENT, INCLUDING TAKING MEASURES AGAINST POLLUTION; (C) CARRYING OUT OF SCIENTIFIC INVESTIGATIONS; (D) GENERATION OF ENERGY FROM CURRENTS AND WINDS; AND (E) ALL OTHER ACTIVITIES DIRECTED TOWARD THE ECONOMIC EXPLORATION AND EXPLOITATION OF THE ZONE.

3. IN THE CONTEXT OF INTERNATIONAL LAW, BILL DECLARES THAT IN THE ECONOMIC ZONE ALL STATES HAVE FREEDOM OF NAVIGATION, FREEDOM OF OVERFLIGHT, FREEDOM TO LAY UNDERSEA CABLES AND PIPES, AND FREEDOM TO EXERCISE OTHER INTER-
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NATIONALLY RECOGNIZED RIGHTS IN CONNECTION WITH NAVIGATION AND COMMUNICATION.

4. LEGISLATION REQUIRES LICENSING BY GOS IN ADVANCE OF ANY ACTION WHICH TOUCH RIGHTS CLAIMED BY SURIMAN AND FURTHER PROVIED FOR REVOCATION OF SUCH A LICENSE IF CONDITIONS ATTACHED TO IT ARE NOT MET. INTENTIONAL VIOLATION OF THE LAW'S PROVISIONS ARE PUNISHABLE BY A PRISON SENTENCE OF NOT MORE THAN SIX YEARS AND/OR FINE OF NOT MORE THAN FIVE HUNDRED THOUSAND GUILDERS (\$282,000). UNINTENTIONAL VIOLATIONS ARE CONSIDERED A LESSER OFFENSE AND ARE PUNISHABLE BY NOT MORE THAN ONE YEAR IN JAIL AND/OR A FINE OF ONE HUNDERD THOUSAND GUILDERS (\$56,000). NONFULFILLMENT OF THE CONDITIONS OF A LICENSE OR ACTION CONTRARY TO SUCH CONDITIONS IS PUNISHABLE BY A FINE OF NOT MORE THAN ONE HUNDRED THOUSAND GUILDERS.

5. IMPLEMENTS USED IN ANY ILLEGAL ACTS OR THE GOODS OBTAINED BY THEM MAY BE CONFISCATED. GOODS WHICH MAY SPOIL (READ FISH AND SHRIMP) CAN BE PUBLICLY SOLD WITH THE PROCEEDS ALSO SUBJECT TO CONFISCATION. WHEN PUNISHABLE ACT IS PERFORMED BY OR ON BEHALF OF A CORPORATE BODY, PERSON WHO

ORDERED IT OR WHO ACTUALLY DIRECTED THE PROHIBITED ACTION
OR OMISSION CAN BE PROSECUTED AND PUNISHED.

6. SURIMAN ARMY AND OTHERS APPOINTED BY MINISTER OF
JUSTICE AND POLICE WILL HAVE RESPONSIBILITY FOR ENFORCING
THE LAW, WITH AUTHORITY TO SEIZE IMPLEMENTS USED TO VIOLATE
THE LAW. FYI: SURIMAN ARMY HAS ALREADY ACQUIRED TWO OF
THREE HIGH SEAS PATROL VESSELS ARMED WITH 40 MM BOFORS
TO CARRY OUT THIS ROLE, AND THE THIRD IS EXPECTED BY LATE
THIS YEAR OR EARLY IN 1978.

7. COMMENT: EXTENSION OF TERRITORIAL SEA AND DECLARATION
OF 200-MILE ECONOMIC ZONE ARE SEEN BY GOS AS ESSENTIAL TO
THE PROTECTION OF SURINAM'S FISHING INTERESTS WHICH HAVE
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BEEN JEOPARDIZED BY THREAT TO SHRIMP PROCESSING INDUSTRY
IN PARAMARIBO RESULTING FROM FRENCH GUIANA'S INSTITUTION
OF A 200-MILE FISHERY ZONE. THERE IS A GENERAL FEELING THAT PASSAGE
OF SUCH LEGISLATION IS NECESSARY TO PUT SURINAM ON AN
EQUAL FOOTING IN ANY FUTURE DISCUSSIONS OF A REGIONAL REGIME
GOVERNING EXPLOITATION OF THIS AREA'S SHRIMP RESOURCES.
GUYANESE FISHING BOATS WHICH FROM TIME TO TIME ARE STOPPED
IN SURIMAN WATERS AND WHICH ATTRACT SUBSTANTIAL PRESS
COVERAGE ALSO PROVIDE INCENTIVES FOR THE GOS TO ACT. SINCE
SURIMAN ARMY WILL HAVE SOME CAPABILITY TO ENFORCE LAW, WE
WOULD EXPECT TO SEE A FEW SEIZURES OF UNLICENSED FISHING
BOATS AT SAME TIME SURINAM IS SEEKING MORE EQUITABLE
ARRANGEMENTS FOR SHARING FISHING RESOURCES WITH ITS
NEIGHBORS, ONCE THE PROPOSED LAW IS ON THE BOOKS.
LORTON

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: INTERNATIONAL LAW, TERRITORIAL SEA LIMIT, TWO HUNDRED MILE LIMIT
Control Number: n/a
Copy: SINGLE
Sent Date: 13-Sep-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01-Jan-1960 12:00:00 am
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977PARAMA00936
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770332-0629
Format: TEL
From: PARAMARIBO
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770969/aaaacgqj.tel
Line Count: 151
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: a5d07f47-c288-dd11-92da-001cc4696bcc
Office: ACTION DLOS
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 23-Nov-2004 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1292139
Secure: OPEN
Status: NATIVE
Subject: DRAFT LAW ON EXTENDED TERRITORIAL SEA AND ECONOMIC ZONE
TAGS: EFIS, PBOR, NS
To: STATE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/a5d07f47-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009